Notice of Allowability	Application No.	Applicant(s)
	10/629,886	METZ ET AL.
	Examiner	Art Unit	
	Michael Y. Won	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *6/19/07*.

2. ☒ The allowed claim(s) is/are *1,9,10,14,15,23,24,28,29,31,32 and 35-40 (renumbered 1-17)*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *Attached* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a telephone interview

with Jack H. McKinney (Reg. No. 45,685) on July 26, 2007.

3.   The application has been amended as follows:

Claims 2-5, 16-19, 22 and 30 have been **canceled** with this amendment.

1. **(Currently Amended)** A method for preparing electronic data for transmission,

comprising calculating a <u>combined</u> duration for compressing <u>and decompressing</u> the

electronic data, calculating a duration for transmitting the electronic data if not

compressed, <u>calculating a duration for transmitting the electronic data if compressed,</u>

<u>and</u> compressing the electronic data only if the <u>combined</u> duration <u>summed with the</u>

<u>duration for transmitting the electronic data if compressed</u> ~~for compressing~~ does not

exceed the duration for transmitting <u>the electronic data if not compressed</u>, wherein

calculating the duration for transmitting the electronic data if not compressed includes:

measuring a duration for transmitting other electronic data;

identifying a size of the other electronic data;

calculating a transmit rate based on the measured duration for transmitting the other electronic data and the identified size of the other electronic data; and

calculating a duration for transmitting the electronic data according to a size of the electronic data and the transmit rate; and

wherein one or more of the acts of calculating a combined duration, calculating a duration for transmitting the electronic data if not compressed, calculating a duration for transmitting the electronic data if compressed, and compressing the electronic data are implemented by a print driver.

9. **(Currently Amended)** A method for preparing a print job containing raster data, comprising:

calculating a combined duration for compressing and decompressing the raster data;

calculating a duration for transmitting the print job if the raster data is not compressed;

calculating a duration for transmitting the print job if the raster data is compressed; and

compressing the raster data only if the combined duration summed with the duration for transmitting the print job if the raster data is compressed for compressing does not exceed the duration for transmitting the print job if the raster data is not compressed;

wherein calculating a duration for transmitting the print job if the raster data is not compressed includes:

measuring a duration for transmitting a prior print job;

identifying a size of the prior print job;

calculating the transmit rate for the prior print job based on the measured duration for transmitting the prior print job and the identified size of the prior print job;

calculating the duration for transmitting the according to a size of the print job and the transmit rate; and

wherein one or more of the acts of calculating a combined duration, calculating a duration for transmitting the print job if the raster data is not compressed, calculating a duration for transmitting the print job if the raster data is compressed, and compressing the raster data are implemented by a print driver.

15. **(Currently Amended)** A computer readable storage medium having instructions stored thereon for calculating a combined duration for compressing and decompressing the electronic data, calculating a duration for transmitting the electronic data if not compressed, calculating a duration for transmitting the electronic data if compressed, and compressing the electronic data only if the combined duration summed with the duration for transmitting the electronic data if compressed for compressing does not exceed the duration for transmitting the electronic data if not compressed, wherein the instructions for calculating the duration for transmitting the electronic data if not compressed includes instructions for:

measuring a duration for transmitting other electronic data;

identifying a size of the other electronic data;

calculating a transmit rate based on the measured duration for transmitting the

other electronic data and the identified size of the other electronic data; and

calculating a duration for transmitting the electronic data according to a size of

the electronic data and the transmit rate; and

wherein one or more of the acts of calculating a combined duration, calculating a

duration for transmitting the electronic data if not compressed, calculating a duration for

transmitting the electronic data if compressed, and compressing the electronic data are

implemented by a print driver.

23. **(Currently Amended)** A computer readable storage medium having

instructions stored thereon for:

calculating a combined duration for compressing and decompressing the raster

data;

calculating a duration for transmitting if the print job if the raster data is not

compressed;

calculating a duration for transmitting the print job if the raster data is

compressed; and

compressing the raster data only if the combined duration summed with the

duration for transmitting the print job if the raster data is compressed for compressing

does not exceed the duration for transmitting <u>the print job if the raster data is not</u>

<u>compressed</u>;

wherein the instructions for calculating a duration for transmitting the print job if

the raster data is not compressed include instructions for:

measuring a duration for transmitting a prior print job;

identifying a size of the prior print job;

calculating the transmit rate for the prior print job based on the measured

duration for transmitting the prior print job and the identified size of the prior print job;

calculating the duration for transmitting the print job according to a size of the

print job and the transmit rate<u>; and</u>

<u>wherein one or more of the acts of calculating a combined duration, calculating a</u>

<u>duration for transmitting the print job if the raster data is not compressed, calculating a</u>

<u>duration for transmitting the print job if the raster data is compressed, and compressing</u>

<u>the raster data are implemented by a print driver</u>.

29. **(Currently Amended)** A system for preparing a print job containing raster

data, comprising:

a bandwidth module operable to supply data relating to a transmit rate for the

print job;

a duration module operable to calculate a <u>combined</u> duration for compressing

<u>and decompressing</u> the raster data and to calculate, based on a transmit rate supplied

by the bandwidth module, a duration for transmitting the print job if the raster data is not

compressed and a duration for transmitting the print job if the raster data is

compressed; and

a compression selector operable to instruct that the raster data be compressed

only if the combined duration summed with the duration for transmitting the print job if

the raster data is compressed for compressing does not exceed the duration for

transmitting the print job if the raster data is not compressed,

wherein the bandwidth module is operable to measure a duration for transmitting

a prior print job, identify a size of the prior print job, and calculate a transmit rate for the

prior print job based on the measured duration for transmitting the prior print job and the

identified size of the prior print job; and

wherein the duration module is operable to calculate the duration for transmitting

the print job according to a size of the print job and the transmit rate of the other prior

print job; and

wherein one or more of the bandwidth modules, duration module, and the

compression selector are programming elements of a printer driver.

36. **(Currently Amended)** A print server, comprising:

a print queue;

a queue manager operable to administer print jobs in a queue;

a bandwidth module operable to supply data relating to a transmit rate for a print

job;

a duration module operable to calculate a combined duration for compressing

and decompressing raster data contained in a print job and to calculate, based on a

transmit rate supplied by the bandwidth module, a duration for transmitting the print job

if the raster data is not compressed and a duration for transmitting the print job if the

raster data is compressed; and

a compression selector operable to instruct that the raster data be compressed

only if the combined duration summed with the duration for transmitting the print job if

the raster data is compressed does not exceed the duration for transmitting the print job

if the raster data is not compressed,

~~a duration module operable to calculate a duration for compressing the raster~~

~~data and to calculate, based on a transmit rate supplied by the bandwidth module, a~~

~~duration for transmitting the print job if the raster data is not compressed; and~~

~~a compression selector operable to instruct the queue manager to compress the~~

~~raster data only if the duration for compressing does not exceed the duration for~~

~~transmitting;~~

wherein the bandwidth module is operable to measure a duration for transmitting

a prior print job, identify a size of the prior print job, and calculate a transmit rate for the

prior print job based on the measured duration for transmitting the prior print job and the

identified size of the prior print job; ~~and~~

wherein the duration module is operable to calculate the duration for transmitting

the print job according to a size of the print job and the transmit rate of the prior print

job; and

wherein one or more of the bandwidth modules, duration module, and the

compression selector are programming elements of a printer driver.

37. **(Currently Amended)** A system for preparing electronic data for

transmission, comprising:

means for calculating a combined duration for compressing and decompressing

the electronic data;

means for calculating a duration for transmitting the electronic data if not

compressed;

means for calculating a duration for transmitting the electronic data if

compressed;

means for compressing the electronic data only if the combined duration

summed with the duration for transmitting the electronic data if compressed does not

exceed the duration for transmitting electronic data if not compressed;

~~a means for calculating a duration for compressing the electronic data;~~

~~a means for calculating a duration for transmitting the electronic data if not~~

~~compressed; and~~

~~a means for compressing the electronic data only if the duration for compressing~~

~~does not exceed the duration for transmitting.~~

wherein the means for calculating the duration for transmitting the electronic data

if not compressed include:

means for measuring a duration for transmitting other electronic data;

means for identifying a size of the other electronic data;

means for calculating a transmit rate based on the measured duration for

transmitting the other electronic data and the identified size of the other

electronic data; and

means for calculating the duration for transmitting the electronic data

according to a size of the electronic data and the transmit rate; and

wherein one or more of the means for calculating a combined duration, means

for calculating a duration for transmitting the electronic data if not compressed, means

for calculating a duration for transmitting the electronic data if compressed, and means

for compressing the electronic data are programming elements of a print driver.

38. (**Currently Amended**) A system for preparing a print job containing raster

data, comprising:

means for calculating a combined duration for compressing and decompressing

the raster data;

means for calculating a duration for transmitting the print job if the raster data is

not compressed;

means for calculating a duration for transmitting the print job if the raster data is

compressed;

means for compressing the raster data only if the combined duration summed

with the duration for transmitting the print job if the raster data is compressed does not

exceed the duration for transmitting the print job if the raster data is not compressed;

~~a means for supplying data relating to a transmit rate for the print job;~~

~~a means for calculating a duration for compressing the raster data;~~

~~a means for calculating a duration for transmitting the print job if the raster data is~~

~~not compressed; and~~

~~a means for instructing the raster data to be compressed only if the duration for~~

~~compressing does not exceed the duration for transmitting.~~

wherein the means for calculating a duration for transmitting the print job if the

raster data is not compressed include:

means for measuring a duration for transmitting other raster data;

means for identifying a size of the other raster data;

means for calculating a transmit rate based on the measured duration for

transmitting the other raster data and the identified size of the other raster data; and

means for calculating the duration for transmitting the raster data according to a

size of the raster data and the transmit rate; and

wherein one or more of the means for calculating a combined duration, means

for calculating a duration for transmitting the print job if the raster data is not

compressed, means for calculating a duration for transmitting the print job if the raster

data is compressed, and means for compressing are programming elements of a print

driver.

Allowable Subject Matter

4.   Claims 1, 9, 10, 14, 15, 23, 24, 28, 29, 31, 32, and 35-40 are allowable over prior art of record in light of the arguments presented in the Amendment filed June 19, 2007 and the Examiner's Amendment above.

5.   The following is an examiner's statement of reasons for allowance:

        The prior art of record does not disclose, teach, or suggest neither singly nor in combination the claimed limitation of "compressing the electronic data only if the combined duration summed with the duration for transmitting the electronic data if compressed does not exceed the duration for transmitting the electronic data if not compressed" and "wherein one or more of the acts of calculating a combined duration, calculating a duration for transmitting the electronic data if not compressed, calculating a duration for transmitting the electronic data if compressed, and compressing the electronic data are implemented by a print driver" as recited in independent claim 1 and similarly recited in independent claims 9, 15, 23, 29, 36, 37, and 38.

6.   Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/

Primary Examiner

July 30, 2007